Sri B. P. KADAM.—What is the strength required for a Marathi school ?

Sri K. V. SHANKARA GOWDA.—It is forty.

Sri B. P. KADAM.—May I know whether schools for Marathi have not been sanctioned where the strength is less than forty in Karwar and Haliyal ?

Sri K. V. SHANKARA GOWDA.—I have no information.

Sri B. P. KADAM.—Then, why did the officer recommend it ?

Sri K. V. SHANKARA GOWDA.—He may recommend but it depends on other considerations whether a School can be opened or not.

Appointment of Medical Graduates in Government Colleges and Hospitals

6. Sri C. R. RANGE GOWDA (Magadi).—

Will the Minister for Health and Housing be pleased to state :—

(*a*) whether the Cadre and Recruitment Rules regardiug the appointment of Medical graduates in respect of tutorial and general cadre have been issued ;

(*b*) the number of medical graduates that are working as temporary candidates in different Government hospitals and Government Colleges in the State ;

(*c*) whether they have got any proposal to confirm them from the date of entry into service ;

(*d*) if so, the action they have taken ?

A.—Sri K. PUTTASWAMY (Minister for Health and Housing).—

(*a*) Yes.

(*b*) 283 in Hospitals ; 179 in Colleges.

(*c*) No.

(*d*) Does not arise.

ಶ್ರೀ ಸಿ. ಆರ್. ರಂಗೇ ಗೌಡ.—ನನ್ನ ಪ್ರಶ್ನೆಗೆ ಉತ್ತರವಾಗಿ ಕೇಡರ್ ಅಂಡ್ ರಿಕ್ರೂಟ್‌ಮೆಂಟ್ ರೂಲ್ಸ್ ಮಾಡಿದ್ದೀವೆ, 283 ಮಂದಿ ಆಸ್ಪತ್ರೆಗಳಲ್ಲಿ 179 ಮಂದಿ ಕಾಲೇಜುಗಳಲ್ಲಿ ವೈದ್ಯಕೀಯ ಪದವೀಧರರು ಕೆಲಸ ಮಾಡುತ್ತಾ ಇದ್ದಾರೆ, ಹಂಗಾಮಿಯಾಗಿ ಯಾವ ದಿವಸದಿಂದ ಅವರು ಕೆಲಸ ಮಾಡುತ್ತಾ ಇದ್ದಾರೋ ಆ ದಿವಸದಿಂದ ಅವರನ್ನು ಖಾಯಂ ಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ ಎಂದು ಹೇಳಿದ್ದೀರಿ. ಈಗ ಪಬ್ಲಿಕ್ ಸರ್ವೀಸ್ ಕಮಿಷನ್ ಮೂಲಕ ಆದರೂ ಅವರನ್ನು ಖಾಯಂ ಮಾಡುವುದಕ್ಕೆ ಯೋಚನೆ ಮಾಡಿದ್ದೀರಾ ?

Sri K. PUTTASWAMY.—We have already notified the posts to Public Service Commission about Lecturers and also Assistant Professors and Assistant Associated Professors. Very early the P.S.C. are going to advertise those posts and they will be filled up on the recommendation of the P.S.C.

Sri C. K. RAJAIAH SHETTY.—Is there no rule that such doctors who come for interview should have completed the House Surgeon course ?

Sri K. PUTTASWAMY.—The qualifications required for the several categories of posts are given there itself.

Sri C. K. RAJAIAH SHETTY.—Is Government aware that persons who do have this House Surgeon Course are selected by the P.S.C. where people who are trained are available ?

Sri K. PUTTASWAMY.—Sir, my friend has raised a very pertinant question. The P.S.C. advertised the post of Assistant Surgeons (Gazetted)-*cum*-Health Officer Class II under the rules, M.B.B.S. qualification is prescribed. After the student passes out, a registration certificate is given. During the emergency, that was considered sufficient and certain persons even without having undergone the compulsory internship have applied to the P. S. C. and the P. S. C. have stated that under the rules they have to select and reconmend their names. But, we in the department scrutinised the certificates and said that this will prevent persons who have undergone compulsory internship course.

Sri H. SIDDAVEERAPPA.—May I know whether these Cadre and Recruitment Rules are passed after regulating the irregular appointments that were made by the predecessor in the office ?

Sri K. PUTTASWAMY.—I do not agree with the hon. member that the appointments that were made irregular. They had been made temporarily, pending framing of Cadre and Recruitment Rules. They have been subsequently framed. It also happens that we do not have sufficient qualified persons to fill in all the posts. Therefore, it so happens that the persons appointed may get regularised.

Sri S. R. BOMMAI.—Is it not a fact that in order to avoid the directions issued by the High Court and also to favour certain persons, these new rules have been framed ? Are not these rules against the recommendations of the All-India Medical Council ?

Sri K. PUTTASWAMY.—I refute the insinuation contained in the question.

Sri S. R. BOMMAI.—Is it not a fact that the High Court issued a Contempt Notice to the Chief Secretary and thereafter the Minister and the Government have not complied with the directions of the High Court and still the matter is pending ? May I know whether to avoid all that, new rules have been framed in order to appoint those persons ?

Sri K. PUTTASWAMY.—Now rules have been framed to make appointments in a regular manner.

Sri S. R. BOMMAI.—Is it not a fact that the High Court issued directions to regularise the medical services in accordance with the existing rules ?

Sri K. PUTTASWAMY.—I have submitted to this House on previous occasions that there has been such instructions from the High Court because we were not able to frame Cadre and Recruitment Rules in time. Now they have been made and appointments are made in accordance with the Cadre and Recruitment Rules.

Sri K. H. PATIL.—Are Cadre and Recruitment Rules framed in conformity with the recommendations of the All-India Medical Board ?

Sri K. PUTTASWAMY.—In framing the Cadre and Recruitment Rules, we have largely taken the pattern existing in the Indian Medical Council.

Sri M. S. KRISHNAN.—Is it not incumbent on the Government to have a rational policy in regard to confirmation and regularisation of temporary candidates ?

Sri K. PUTTASWAMY.—There are two kinds of persons serving in the department, in certain posts which are temporary. Some persons have been appointed by the Public Service Commission to the Government service and their cases have been covered by the Cadre and Recruitment Rules and they are appointed to those posts. Other persons who are local candidates will have to go before the Public Service Commission. I have submitted to the House that the posts of Lecturers as well as Assistant Professors, Associate Professors and Assistant Surgeons (Gazetted) Health Officers Class II, are being notified.

Sri H. SIDDAVEERAPPA.—Arising out of answer given by the Minister to my earlier question, I am posing a specific question for answer. May I know whether it is a fact or not that the Government sent about 10 cases to the Public Service Commission to regularise irregular appointments and the Public Service Commission refused and they sent back. Still against the advice of the Public Service Commission the Government have regularised these appointments ?

Sri K. PUTTASWAMY.—I think some years back nine cases or so have been regularised.

Sri C. K. RAJIAH SETTY.—Is it not a fact that the Head of the Department has differed from the Public Service Commission in appointing people who have not put in House Surgeon Course and thereby the lives of patients will be in danger ?

Sri K. PUTTASWAMY.—There was a lacuna and the Public Service Commission stated that they are not in a position to get over the lacuna. But when the list of persons recommended came to the department, the department are looking into the service of several persons who are recommended and we are appointing only persons who have completed the compulsory internship. Therefore I may assure that there is no danger to human life.

Sri H. SIDDAVEERAPPA.—The hon'ble Minister said 'some years back'. How many years back was the irregular appointment regularised?

Sri K. PUTTASWAMY.—Perhaps it is 2 to 3 years.

Pay Fixation of Shop Inspectors

7. Sri B. B. SAYANAK (Belgaum) :—

Will the Minister for Home and Labour be pleased to state :—

(*a*) whether the Mysore Shops and Commercial Establishment Act, 1961 came into force ;

(*b*) whether it is a fact that the Shop Inspectors of Municipality in Bombay Karnatak Area are treated as Labour Inspectors ;

(*c*) whether it is a fact that the pay fixation of the abovesaid inspectors have not been done if so, why ;

(*d*) whether it is a fact that the previous service in Municipalities of the abovesaid inspectors is not counted at the time of fixing their seniority; if so, why ?

A.—Sri D. DEVARAJ URS (Minister for Animal Husbandry, Fisheries, Information and Publicity) [On behalf of the Chief Minister].—

(*a*) Yes.
(*b*) Yes.
(*c*) No.
(*d*) Yes ; the officials have been absorbed on their consent to take their ranks below the existing persons in the Cadre.

Sri B. B. SAYANAK.—May I know whether one Inspector has filed a writ petition in the High Court after fixation of pay ?

Sri D. DEVARAJ URS.—I have not got the information.

Sri B. B. SAYANAK.—Supplementary to (*d*) : May I know whether the consent is written or oral ?

Sri D. DEVARAJ URS.—It is written.

Sri M. S. KRISHNAN.—May I know whether it is justifiable on the part of Government to obtain such a written consent and put them in the lower grade while actually it is an equivalent grade ?

Sri D. DEVARAJ URS.—It is justified because Government is not bound to take them on any account. It is because they would be thrown out of employment or the concerned Municipalities would not continue them in service that Government took a very humanitarian and lenient view and Government said that they would absorb them under these conditions.

Sri M. S. KRISHNAN.—Is it not a fact that because of shortage of Shop Inspectors they were appointed and not on account of humanitarian considerations ?

Sri D. DEVARAJ URS.—If there is a shortage, there should be direct recruitment. The concerned Municipalities could not continue them and they also passed a resolution to the effect that Government should consider these cases sympathetically and they themselves also agreed to get absorbed in Government service.